

Subject: Comments on Proposed Unified Federal Policy for a Watershed Approach  
Federal Land and Water Mgmt.  
Sender: jshiel /INTERNET (jshiel@state.wy.us)  
Attached Date: 05/24/00 15:23  
Priority: normal  
Sensitivity: normal  
Importance: normal

LATE 234

Part 1

FROM: jshiel / INTERNET  
DDT1=RFC-822; DDV1=jshiel@state.wy.us;

TO: cleanwater / wo, caet-slc

Part 2

ARPA MESSAGE HEADER

Part 3

May 24, 2000

USDA -- Forest Service  
Content Analysis Enterprise Team  
Attention: UFP  
Building 2, Suite 295  
5500 Amelia Earhart Drive  
Salt Lake City, Utah 84116

Please find attached a copy (Word formatted file) of the comment letter submitted by the Colorado River Basin Salinity Control Forum in response to the February 2000 publication of a notice in the Federal Register. This letter was considered and approved by the Forum's members at its meeting today in Price, Utah. Should you have any questions, please feel free to contact us.

With best regards,

COLORADO RIVER BASIN SALINITY CONTROL FORUM

submitted by  
John W. Shields  
Interstate Streams Engineer  
Wyoming State Engineer's Office  
Herschler Building, 4th East  
Cheyenne, WY 82002-0370  
Phone: 307-777-6151  
Fax: 307-777-5451  
E-Mail: jshiel@state.wy.us

Part 4

This item is of type Microsoft Word (all versions) and cannot be displayed as:

CAET RECEIVED

MAY 25 2000

Colorado River Basin  
Salinity Control Forum

234

Gary Beach

EXECUTIVE DIRECTOR

Jack A. Barnett  
106 West 500 South, Suite 106  
Bountiful, Utah 84010  
(801) 292-4663  
(801) 524-6320 Fax  
jbarnett@barnettwater.com

GOVERNERS

Jane Dee Hull, AZ  
Gray Davis, CA  
Bill F. Owens, CO  
Kenny Guinn, NV  
Gary E. Johnson, NM  
Mike Leavitt, UT  
Jim Geringer, WY

FORUM MEMBERS

Arizona

Thomas G. Carr  
Larry R. Dozier  
Troy Day

California

Gerald R. Zimmerman  
Walter G. Pettit  
Duane L. Georgeson

Colorado

David W. Robbins  
Peter H. Evans  
J. David Holm

Nevada

Phillip S. Lehr  
Allen Biaggi  
Freeman Johnson

New Mexico

Thomas C. Turney

Utah

D. Larry Anderson  
Jay B. Pitkin

Wyoming

Gordon W. Fassett  
Dan S. Budd

May 24, 2000

USDA -- Forest Service  
Content Analysis Enterprise Team  
Attention: UFP  
Building 2, Suite 295  
5500 Amelia Earhart Drive  
Salt Lake City, Utah 84116

Submitted via e-mail  
cleanwater/wo\_caet-slc@fs.fed.

Re: Comments on the Proposed  
Unified Federal Policy for  
Ensuring a Watershed  
Approach to Federal Land  
and Resource Management

Dear Sir or Madame:

The Colorado River Basin Salinity Control Forum (Forum) appreciated the opportunity to submit these written comments on the Proposed Unified Federal Policy for Ensuring a Watershed Approach to Federal Land and Resource Management published for review a

comment in the February 22, 2000 issue of the Federal Register.

The Colorado River Basin Salinity Control Forum (Forum) is composed of Gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. The Forum functions as the seven-state coordinating body interacting with involved federal agencies and the Congress to support the implementation of a program necessary to control

a plan of implementation, to control salinity concentration increases in the Colorado River watershed. The standards require that a plan be developed and periodically updated which will maintain the flow-weighted average annual salinity at or below the 1972 levels. The Forum selected three stations on the mainstem of the lower Colorado River as being appropriate points to measure the salinity of the Colorado River. Numeric criteria were established for three Lower Colorado River stations (the salinity concentrations measured at Imperial, and below Parker, and Hoover Dams in 1972 have been adopted as the water quality standards' numeric criteria) as required by the 1974 regulation.

In accordance with the Basin States' strong insistence, the EPA's December 1974 regulation established a basinwide salinity control policy<sup>1</sup>, rather than using political boundaries, established with regard to the state-lines of the Basin States, as is the case with other water quality standards. The Colorado River water quality standards for salinity, and the approach taken by the Basin states in complying with them, are unique having adopted a total watershed approach over 25 years ago. It is clear that the Basin States proposed and adopted, and the EPA approved in 1974, a unified approach to maintain, and improve water quality, by lessening the salinity concentrations of the waters in the Colorado River system.

The watershed approach established and applied to the Colorado River Basin Salinity Control Program since its inception is quite relevant to the proposed unified federal policy for federal land and resource management. Obviously, given the above, the Forum believes that coordination of federal agency efforts to improve and protect water quality on a watershed basis is especially critical in multi-state watersheds, such as the Colorado River watershed. The Colorado River is an extremely important water source, and relatively high salinity concentrations cause significant economic impacts on water use in the Lower Colorado River Basin. The level of annual economic impacts,

the salinity of the Colorado River system. The EPA promulgated a regulation in December 1974, which set forth a basinwide salinity control policy for the Colorado River Basin. The regulation specifically stated that salinity control was to be implemented while the Basin states continue to develop their Colorado River Compact-apportioned water. The Forum proposed, the states adopted, and the EPA approved water quality standards in 1974, including numeric criteria and

---

<sup>1</sup> In Amendments to 40 CFR 120 published on December 11, 1974, effective December 18, 1974, the EPA promulgated Section 120.5, "Colorado River System Salinity Standards and Implementation Plan" which included (c)(2)(ii) "The salinity problem shall be treated as a basinwide problem that needs to be solved in order to maintain lower main stem salinity at or below 1972 levels while the basin States continue to develop their compact apportioned waters."

documented in studies supported and conducted by the U.S. Bureau of Reclamation are in excess of \$500 million at the current time. The federal-state Colorado River Basin Salinity Control Program is an example of a program in which the U.S. Departments of Agriculture and the Interior have successfully employed a watershed approach to water quality issues caused by salt-loading of the River's waters.

Through the salinity control program, the seven Colorado River Basin States, acting through the interstate entity of the Forum, have gained over two decades of experience and hence a significant history of working with a number of the agencies who are to be signatories to the proposed unified federal watershed policy. The Department of Agriculture's Natural Resources Conservation Service and the Department of the Interior Bureau of Reclamation and Bureau of Land Management each have salinity control programs which are implemented with federal and non-federal funding. In the aggregate, the total programs' goal is to reduce salt loading in the Colorado River by approximately 1.477 million tons of salt annually through the year 2015 in order to maintain the salinity concentration of water at the three downstream stations where the numeric criteria values have been established. Maintenance of the total dissolved solids concentrations of the River's water at or below those numeric values constitutes compliance with the water quality standards for salinity in the Colorado River System.

The Bureau of Land Management is the largest manager of federal lands in the Colorado River Basin. The Bureau of Reclamation constructed and operates a number of major water storage facilities in this basin - having an aggregate capability to store about four times the average annual flow of the River system. The USDA's Natural Resources Conservation Service administers its numerous agricultural conservation programs throughout each of the seven Basin States. The Forum wishes to comment on the actions of both the Department of Agriculture and the Department of Interior's Bureau of Land Management in implementing the Colorado River Basin Salinity Control Program in the context of it being a historical and ongoing watershed-wide land and water resource management program.

The Forum believes that appropriate performance goals for effective land and water policy must be based on assessing whether actions are consistently carried through to implementation on time and within budget. This is, the Forum believes, one of the key criteria for effective policy administration at all levels of government. It is the Forum's view, however, that in several significant aspects the longstanding collaborative partnerships between these federal agencies and the Basin States, acting as the Forum, are inadequate in the case of the Salinity Control Program. Federal funding for the Program continues to be troubling and problematic. We wish to elaborate on these implementation difficulties briefly below, for the purpose of advising the federal agencies as they look to implement additional, watershed-wide programs for land and natural resource management.

The Forum recognizes the major role that the BLM can have in the Colorado River Basin salinity control effort if more attention, effort and focus by the BLM is brought



bear on controlling salt discharges from the federal lands it manages. Great opportunity exists to decrease salt loading from BLM-managed lands to the river system. The Secretary of the Interior is directed by the Colorado River Basin Salinity Control Act to give preference to those salinity control efforts which reduce salinity at the least cost per unit of salinity reduction, e.g. in the most cost-effective manner. The Forum and the Colorado River Basin Salinity Control Advisory Council (created pursuant to Section 204 of the 1974 Colorado River Basin Salinity Control Act, P.L. 93-320) have aggressively urged and will continue to encourage, the BLM to identify, plan and develop additional projects that will remove, or prevent the loading of, a greater tonnage of salts from the River system.

In the Forum's testimony to the Appropriations Subcommittees each year for a number of years, the Forum has reiterated that while it is not opposed to BLM's budgetary process of focusing on ecosystem and watershed management, it is essential that funds expended be specifically directed to discrete sub-activities that will provide salt loading reductions. Further, the accounting for expenditures certainly needs to be done in such a manner that oversight and fiscal monitoring can assess how the funds were used, what resources were benefited and which natural resource concerns were addressed. To reiterate, each of the member states of the Forum have been frustrated by BLM's approach of identifying where funds are allocated as opposed to what purposes or how they are used to accomplish specific activities, objectives and benefits. The same difficulty exists with regard to accounting for how allocated funds have been expended. The BLM is simply unable at the present time to indicate how much money it is spending or how it is being spent to achieve salinity control benefits. The proposed unified watershed policy for federal land and resources management has failed to address accountability concerns of this nature entirely.

Second, the level of federal funding requested by the involved federal agencies and provided by the Congress for the watershed-wide salinity control program in recent years has been insufficient to meet the salinity control activities schedule in order to maintain the state adopted and federally approved water quality standards.

Further, the U.S. Department of Agriculture's program to implement Colorado River Basin salinity control projects fails to take into account the downstream benefits of salinity control in its funding decision-making process. The Natural Resources Conservation Service's Environmental Quality Incentives Program (EQIP) is intended to address priority watershed concerns but currently lacks a total watershed approach. The effective scale of EQIP watersheds is not appropriate to the basinwide approach to Colorado River salinity control. As a result, EQIP proposals for funding assistance made to NRCS by agricultural producers in the upper areas of the Basin are typically not ranked as high as they would be if the downstream states' and federal benefits on an interstate and international scale had been fully considered, respectively.

May 24, 2000

Page

234

Thank you for your consideration of the Forum's comments. Should you have a questions or wish clarification of any of the above comments and observations, please don't hesitate to contact me.

Sincerely,

/s/

Gordon W. "Jeff" Fassett  
Chairman  
Colorado River Basin  
Salinity Control Forum

# Colorado River Basin Salinity Control Forum

May 24, 2000

## GOVERNERS

Jane Dee Hull, AZ  
Gray Davis, CA  
Bill F. Owens, CO  
Kenny Guinn, NV  
Gary E. Johnson, NM  
Mike Leavitt, UT  
Jim Geringer, WY

## FORUM MEMBERS

### Arizona

Thomas G. Carr  
Larry R. Dozier  
Troy Day

### California

Gerald R. Zimmerman  
Walter G. Pettit  
Duane L. Georgeson

### Colorado

David W. Robbins  
Peter H. Evans  
J. David Holm

### Nevada

Phillip S. Lehr  
Allen Biaggi  
Freeman Johnson

### New Mexico

Thomas C. Turney

### Utah

D. Larry Anderson  
Jay B. Pitkin

### Wyoming

Gordon W. Fassett  
Dan S. Budd  
Gary Beach

## EXECUTIVE DIRECTOR

Jack A. Barnett  
106 West 500 South, Suite 106  
Bountiful, Utah 84010  
(801) 292-4663  
(801) 524-6320 Fax  
jbarnett@barnettwater.com

USDA -- Forest Service  
Content Analysis Enterprise Team  
Attention: UFP  
Building 2, Suite 295  
5500 Amelia Earhart Drive  
Salt Lake City, Utah 84116

Submitted via e-mail to: [cleanwater/wo\\_caet-slc@fs.fed.us](mailto:cleanwater/wo_caet-slc@fs.fed.us)

Re: Comments on the Proposed Unified Federal  
Policy for Ensuring a Watershed Approach to  
Federal Land and Resource Management

Dear Sir or Madam:

The Colorado River Basin Salinity Control Forum (Forum) appreciated the opportunity to submit these written comments on the Proposed Unified Federal Policy for Ensuring a Watershed Approach to Federal Land and Resource Management published for review and comment in the February 22, 2000 issue of the Federal Register.

The Colorado River Basin Salinity Control Forum (Forum) is composed of Gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. The Forum functions as the seven-state coordinating body interacting with involved federal agencies and the Congress to support the implementation of a program necessary to control the salinity of the Colorado River system. The EPA promulgated a regulation in December 1974, which set forth a basinwide salinity control policy for the Colorado River Basin. The regulation specifically stated that salinity control was to be implemented while the Basin states continue to develop their Colorado River Compact-apportioned water. The Forum proposed, the states adopted, and the EPA approved water quality standards in 1975, including numeric criteria and

a plan of implementation, to control salinity concentration increases in the Colorado River watershed. The standards require that a plan be developed and periodically updated which will maintain the flow-weighted average annual salinity at or below the 1972 levels. The Forum selected three stations on the mainstem of the lower Colorado River as being appropriate points to measure the salinity of the Colorado River. Numeric criteria were established for three Lower Colorado River stations (the salinity concentrations measured at Imperial, and below Parker, and Hoover Dams in 1972 have been adopted as the water quality standards' numeric criteria) as required by the 1974 regulation.

In accordance with the Basin States' strong insistence, the EPA's December 1974 regulation established a basinwide salinity control policy<sup>1</sup>, rather than using political boundaries, established with regard to the state-lines of the Basin States, as is the case with other water quality standards. The Colorado River water quality standards for salinity, and the approach taken by the Basin states in complying with them, are unique in having adopted a total watershed approach over 25 years ago. It is clear that the Basin States proposed and adopted, and the EPA approved in 1974, a unified approach to maintain, and improve water quality, by lessening the salinity concentrations of the waters of the Colorado River system.

The watershed approach established and applied to the Colorado River Basin Salinity Control Program since its inception is quite relevant to the proposed unified federal policy for federal land and resource management. Obviously, given the above, the Forum believes that coordination of federal agency efforts to improve and protect water quality on a watershed basis is especially critical in multi-state watersheds, such as the Colorado River watershed. The Colorado River is an extremely important water source, and its relatively high salinity concentrations cause significant economic impacts on water users in the Lower Colorado River Basin. The level of annual economic impacts, as documented in studies supported and conducted by the U.S. Bureau of Reclamation are in excess of \$500 million at the current time. The federal-state Colorado River Basin Salinity Control Program is an example of a program in which the U.S. Departments of Agriculture and the Interior have successfully employed a watershed approach to water quality issues caused by salt-loading of the River's waters.

Through the salinity control program, the seven Colorado River Basin States, acting through the interstate entity of the Forum, have gained over two decades of experience and hence a significant history of working with a number of the agencies who are to be signatories to the proposed unified federal watershed policy. The Department of Agriculture's Natural Resources Conservation Service and the Department of the Interior's Bureau of Reclamation and Bureau of Land Management each have salinity control programs which are implemented with federal and non-federal funding. In the aggregate,

---

<sup>1</sup> In Amendments to 40 CFR 120 published on December 11, 1974, effective December 18, 1974, the EPA promulgated Section 120.5, "Colorado River System Salinity Standards and Implementation Plan" which included (c)(2)(ii) "The salinity problem shall be treated as a basinwide problem that needs to be solved in order to maintain lower main stem salinity at or below 1972 levels while the basin States continue to develop their compact apportioned waters."

the total programs' goal is to reduce salt loading in the Colorado River by approximately 1.477 million tons of salt annually through the year 2015 in order to maintain the salinity concentration of water at the three downstream stations where the numeric criteria values have been established. Maintenance of the total dissolved solids concentrations of the River's water at or below those numeric values constitutes compliance with the water quality standards for salinity in the Colorado River System.

The Bureau of Land Management is the largest manager of federal lands in the Colorado River Basin. The Bureau of Reclamation constructed and operates a number of major water storage facilities in this basin - having an aggregate capability to store about four times the average annual flow of the River system. The USDA's Natural Resources Conservation Service administers its numerous agricultural conservation programs throughout each of the seven Basin States. The Forum wishes to comment on the actions of both the Department of Agriculture and the Department of Interior's Bureau of Land Management in implementing the Colorado River Basin Salinity Control Program in the context of it being a historical and ongoing watershed-wide land and water resources management program.

The Forum believes that appropriate performance goals for effective land and water policy must be based on assessing whether actions are consistently carried through to implementation on time and within budget. This is, the Forum believes, one of the key criteria for effective policy administration at all levels of government. It is the Forum's view, however, that in several significant aspects the longstanding collaborative partnerships between these federal agencies and the Basin States, acting as the Forum, are inadequate in the case of the Salinity Control Program. Federal funding for the Program continues to be troubling and problematic. We wish to elaborate on these implementation difficulties briefly below, for the purpose of advising the federal agencies as they look to implement additional, watershed-wide programs for land and natural resource management.

The Forum recognizes the major role that the BLM can have in the Colorado River Basin salinity control effort if more attention, effort and focus by the BLM is brought to bear on controlling salt discharges from the federal lands it manages. Great opportunity exists to decrease salt loading from BLM-managed lands to the river system. The Secretary of the Interior is directed by the Colorado River Basin Salinity Control Act to give preference to those salinity control efforts which reduce salinity at the least cost per unit of salinity reduction, e.g. in the most cost-effective manner. The Forum and the Colorado River Basin Salinity Control Advisory Council (created pursuant to Section 204 of the 1974 Colorado River Basin Salinity Control Act, P.L. 93-320) have aggressively urged, and will continue to encourage, the BLM to identify, plan and develop additional projects that will remove, or prevent the loading of, a greater tonnage of salts from the River system.

In the Forum's testimony to the Appropriations Subcommittees each year for a number of years, the Forum has reiterated that while it is not opposed to BLM's budgetary

process of focusing on ecosystem and watershed management, it is essential that funds expended be specifically directed to discrete sub-activities that will provide salt loading reductions. Further, the accounting for expenditures certainly needs to be done in such a manner that oversight and fiscal monitoring can assess how the funds were used, what resources were benefited and which natural resource concerns were addressed. To reiterate, each of the member states of the Forum have been frustrated by BLM's approach of identifying where funds are allocated as opposed to what purposes or how they are used to accomplish specific activities, objectives and benefits. The same difficulty exists with regard to accounting for how allocated funds have been expended. The BLM is simply unable at the present time to indicate how much money it is spending or how it is being spent to achieve salinity control benefits. The proposed unified watershed policy for federal land and resources management has failed to address accountability concerns of this nature entirely.

Second, the level of federal funding requested by the involved federal agencies and provided by the Congress for the watershed-wide salinity control program in recent years has been insufficient to meet the salinity control activities schedule in order to maintain the state adopted and federally approved water quality standards.

Further, the U.S. Department of Agriculture's program to implement Colorado River Basin salinity control projects fails to take into account the downstream benefits of salinity control in its funding decision-making process. The Natural Resources Conservation Service's Environmental Quality Incentives Program (EQIP) is intended to address priority watershed concerns but currently lacks a total watershed approach. The effective scale of EQIP watersheds is not appropriate to the basinwide approach to Colorado River salinity control. As a result, EQIP proposals for funding assistance made to NRCS by agricultural producers in the upper areas of the Basin are typically not ranked as high as they would be if the downstream states' and federal benefits on an interstate and international scale had been fully considered, respectively.

Thank you for your consideration of the Forum's comments. Should you have any questions or wish clarification of any of the above comments and observations, please don't hesitate to contact me.

Sincerely,  
/s/

Gordon W. "Jeff" Fassett  
Chairman  
Colorado River Basin  
Salinity Control Forum

234

Subject:  
Sender: AJohnson /INTERNET (AJohnson@nma.org)  
Attached Date: 05/24/00 15:59  
Priority: normal  
Sensitivity: normal  
Importance: normal

Part 1

FROM: AJohnson / INTERNET  
DDT1=RFC-822; DDV1=AJohnson@nma.org;

TO: cleanwater / wo, caet-slc

Part 2

ARPA MESSAGE HEADER

Part 3

May 24 Final Comments from  
National Mining Association  
1130 17th Street, NW  
Washington, DC 200036  
Tel: 202/463-2609

<<May 24 Final Watershed Comments.wpd>>

Part 4

This item is of type BINARY FILE and cannot be displayed as TEXT

Error printing file: C:\WINDOWS\TEMP\172 (default error handling)

234



234